

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY090
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Name of Service:	Brightsparks Childcare
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Address of Service:	Lr Ballingarry, Thurles, Co Tipperary
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Eircode:	E41 HC63
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Name of Registered Provider:	James Maher
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Service type:	Full Day
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Date(s) of Inspection:	11/11/2024
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No of pre-school children:	AM	40	PM	24
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Address of the Early Years Inspectorate:	Glenmorgan Building, Ferryhouse, Clonmel, Co Tipperary E91RF38
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Inspection undertaken by:	A. McNamara
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Title:	Early Years Inspector
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Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	N/A
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Description of service

The service operates from a purpose-built premises on the outskirts of Ballingarry, Co Tipperary. There are four pre-school rooms; a baby room, a toddler room, the blue room and the red room. There are two sleep rooms on the ground floor adjacent to the baby room and toddler room. There are two secure outdoor areas, one to the front of the premises and one to the side.

Staffing

There are 17 staff employed in the service, this includes one CE worker, an administration worker and manager who does not work directly with children. There was a designated person in charge on the day of inspection. The registered provider does not work directly in the service. Staff working directly with children held qualifications in Early Childhood Education and Care at Levels 5, 6, 7 and 8 on the National Qualifications Framework.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

Regulation 9 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and Recruitment,

Regulation 10 Polices

Regulation 11(1)(2)(8)(a) Staffing levels,

Regulation 21 Equipment and materials,
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,
Regulation 25 First aid,
Regulation 26 Fire Safety and
Regulation 28 Insurance.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*

(b) consideration of references from reputable sources in the case of a person who has no past employers,

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1) (a) The person in charge confirmed that they or their deputy are present at all times while the service is open.

(b) The person in charge was present when the unannounced inspection commenced and facilitated the inspection process. Review of the staff roster indicated that either the person in charge or one of the deputies were present throughout the operational hours.

(2)(a)(b) Two validated references were available for each staff members.

(c) Garda vetting was available on file for all the staff working in the service and a CE scheme worker. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to re-new Garda vetting every three years in all cases.

(d) Police vetting documentation was available for three staff working in the service, who had lived outside of the state for a period of longer than six months.

(4) Certificates of qualifications for the new staff working directly with children were available on file demonstrating that they held a qualification at the minimum level 5 and above on the National Qualification Framework or a qualification deemed by the Minister to be equivalent.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The following policies were assessed for compliance and were deemed to meet the necessary requirements:

- Accident and Incident policy
- Administration of medication
- Infection control

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

1) At the time of inspection, there was an adequate number of adults responsible for the direct care of the children.

(2) The adult child ratios during the day of inspection met the requirements of the regulations as follows:

Room	Age (years)	Minimum required ratio (morning)	Child: adult (morning)	Minimum required ratio (afternoon)	Child: adult (afternoon)
Pre-school 2 (Blue room)	3-5	11:1	13:2	8:1	5:2
Pre-school 1 (Red Room)	2-5	11:1	16:4	8:1	8:4
Toddler	1-2	5:1	8:2	5:1	8:2
	2-3	6:1		6:1	
Baby room	1-2	3:1	3:1	3:1	3:1

(8)(a) The roster indicated that there were always at least two adults on the premises while children were in attendance.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

The service consisted of four large preschool rooms which were well equipped with a range of toys, materials and furniture suitable to the age and stage of development of the children attending the service. There were child sized tables and chairs for tabletop activities such as Montessori work, playdough, puzzles and eating at snack time. The room had several defined interest areas which were appropriately resourced, including the home corner, art and craft materials, a dolls house, small world materials, and dress up. There were low level open shelves around the room where Montessori work, jigsaws/puzzles and manipulative play toys were easily accessible to the children.

The outdoor areas were fully enclosed on two sides of the service building. The children had a wide variety of toys and equipment outside including ride on toys, climbing mounds, sand pits with covers, a playhouse, slides and a kitchen.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General safety:

The entrance to the premises was secured with a locked magnetic door which had to be opened by a staff member.

Visitors to the service were required to sign the visitors book on arrival to the premises.

The outdoor areas for the children were fully enclosed.

Cleaning products were stored/locked away in a sluice room and out of reach of children. Doors to rooms such as the kitchen and sluice room were secured with an out of child's reach latch.

Pinch guards covered the hinges on all doors to prevent injury to children.

Infection control:

The service was clean and well maintained.

Hand washing facilities were adequately stocked with paper hand towels and liquid soap. Children were observed washing their hands at the sink in the classroom which had running water and paper hand towels for hand drying.

There were designated children's toilets available, which contained an adequate number of toilets and sinks for the children attending the service.

Mouthing toys/soothers were washed and sterilised daily in the service. It was reported by staff that these were mainly only used at sleep times.

Bed clothes on cots/sleep beds were laundered by the service and each child had a designated cot.

Safe Sleep:

The inspector observed that children were placed down to sleep according to individual requirements. Each child who required sleep had a dedicated cot to use.

Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing. The room temperature was continually monitored by staff. There was a thermometer in each sleep room to ensure the correct temperature.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) The roster demonstrated that the manager planned for FAR trained staff to be present throughout the hours of opening. Thirteen staff members had in date FAR training.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position and was available for use.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

Compliance Information

(1)(a) There was a record of fire drills that had taken place in the service. The last fire drill was recorded as having taken place on the 8th of October 2024 and staff advised that monthly fire drills were completed.

(b) There was a record available demonstrating that the smoke alarm system was last serviced on 21st of June 2024 and the firefighting equipment was last serviced on the 12th of February 2024.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

An in-date certificate was in place to demonstrate that the service was insured to provide full day care for the number of children the service is registered to accommodate.